

Message

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**From:** Tracy Mehan [tmehan@awwa.org]  
**Sent:** 6/1/2017 9:24:23 PM  
**To:** Shimmin, Kaitlyn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=becb3f33f9a14acd8112d898cc7853c6-Shimmin, Ka]  
**Subject:** RE: My personal endorsement of Susan Bodine as AA for OECA

My pleasure.

Tracy

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**From:** Shimmin, Kaitlyn [mailto:shimmin.kaitlyn@epa.gov]  
**Sent:** Thursday, June 01, 2017 5:14 PM  
**To:** Tracy Mehan <tmehan@awwa.org>  
**Subject:** RE: My personal endorsement of Susan Bodine as AA for OECA

Thank you! This is great. I'll let you know if the press shop has any questions.

**Kaitlyn Shimmin**

*Special Assistant Congressional and Intergovernmental Affairs  
Office of the Administrator*

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., N.W.

Washington, D.C. 20460

O: (202) 564-4108

C: Ex. 6  
[Shimmin.Kaitlyn@epa.gov](mailto:Shimmin.Kaitlyn@epa.gov)

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**From:** Tracy Mehan [mailto:tmehan@awwa.org]  
**Sent:** Thursday, June 1, 2017 5:08 PM  
**To:** Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>  
**Cc:** Bodine, Susan (EPW) <[Susan\\_Bodine@epw.senate.gov](mailto:Susan_Bodine@epw.senate.gov)>  
**Subject:** My personal endorsement of Susan Bodine as AA for OECA

Kaitlyn,

It is my pleasure to provide you with the following quote for your press release:

"Susan Bodine brings a commanding intellect and a vast reservoir of experience in environmental policy to the job of running EPA's enforcement office. The Agency and the American people will benefit tremendously from her legislative, executive and legal expertise across the spectrum of air, land and water. The Administration has made an outstanding selection."

--G. Tracy Mehan, III, former Assistant Administrator for Water, US EPA, in the administration of President George W. Bush. He is presently executive director, government affairs for the American Water Works Association (AWWA) and an adjunct professor at the Antonin Scalia Law School (George Mason University)

Good luck to Susan and the Administration!

Tracy

**Ex. 6**

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Message

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**From:** Tracy Mehan [tmehan@awwa.org]  
**Sent:** 6/1/2017 9:08:10 PM  
**To:** Shimmin, Kaitlyn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=becb3f33f9a14acd8112d898cc7853c6-Shimmin, Ka]  
**CC:** Bodine, Susan (EPW) [Susan\_Bodine@epw.senate.gov]  
**Subject:** My personal endorsement of Susan Bodine as AA for OECA

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Tracy

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Message

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**From:** Tracy Mehan [tmehan@awwa.org]  
**Sent:** 7/6/2017 3:06:04 PM  
**To:** Tracy Mehan [tmehan@awwa.org]  
**Subject:** Politics as a Lagging Indicator or Why Washington Is the Way It Is  
**Attachments:** Politics as a Lagging Indicator Mehan June 2017.pdf

Dear Colleagues,

Attached is a short article of mine based on remarks I made to AWWA's Board of Directors at ACE '17 in Philadelphia. I thought you might find it of interest.

All the best.

Tracy

G. Tracy Mehan, III  
Executive Director, Government Affairs  
American Water Works Association

**Ex. 6** (cell)

Attachment

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## **POLITICS AS A LAGGING INDICATOR**

Why Washington is the way it is.

By

G. Tracy Mehan, III

Executive Director, Government Affairs

American Water Works Association

June 2017

*This column is derived from remarks delivered to the AWWA Board of Directors at ACE '17 in Philadelphia, PA this summer.*

Washington, D.C. is sometimes referred to as 68 square miles surrounded by reality. An old joke for sure, but things are unusually unsettled in the Federal City these days for a variety of reasons, many of which having to do with the last election. But there are other trends, longstanding and persistent, welling up from the very nature of contemporary American society that are driving current political behavior with often unsettling outcomes. There are also disturbing elements of the federal government's fiscal situation making everything more contentious as liberals and conservatives, Republicans and Democrats face an endless stream of lose-lose choices when it comes to funding their preferred yet competing priorities.

This needs to be kept in mind as the water sector pursues new initiatives, say, for water infrastructure financing, in the days ahead. Every federal dollar spent for every purpose faces scrutiny and even good ideas rarely make it out of the political scrum. The fact that the Water Infrastructure Finance and Innovation Act, AWWA's signature legislative achievement, was funded for the first time this year is something to celebrate. Further, with budget cuts looming large, State Revolving Loan Funds have remained largely untouched and have even grown. This is good news, and perhaps a rare glint of common sense in today's troubled political waters.

The Blue State-Red State divide is not a purely political phenomenon. It is, at root, cultural, religious, social, racial and economic. The fact that now President Donald Trump pulled together a coalition, a plurality not a majority, sufficient to win the Electoral College was a stunning electoral event universally

testified to by all. My home state of Missouri normally is a bellwether state. Between 1904 and 2004 it always goes with the winner except for Adlai Stevenson and Barack Obama.

Trump won all but four Missouri counties. He lost Jackson (Kansas City), Boone (Columbia, the university town), St. Louis County and St. Louis City (a county-level jurisdiction). In the other 111 counties, he won all but 4 by margins of 60 percent or better, many in the 70-80 percent range. Urban, middle-class, racially diverse and more secular communities, were overwhelmed by white, rural, small-town counties, many suffering from the loss of light manufacturing due to globalization. The President won the state with 56.4 percent of the vote versus Secretary Clinton's 37.9 percent. Mitt Romney won by 9.4 percent in 2012.

Recall too that, nationally, President Trump won over 80 percent of Evangelicals.

So it should not come as a surprise that only 20 percent of Americans today "say they can trust the government in Washington to do what is right 'just about always' (4%) or 'most of the time' (16%)," according to the Pew Trust's National Election Study. Pew has been doing these surveys since 1958. Then, "about three-quarters of Americans trusted the federal government to do the right thing almost always or most of the time."

What makes these data even more challenging is that so many citizens distrust the government for different reasons. What agitates a Bernie Sanders voter is very different from what a Ted Cruz supporter finds disturbing. Thus, consensus is illusive. Again, this is all compounded by regional, cultural and economic differences and a general sense of disconnection from Washington. With one exception. Most Americans receive, or expect to receive, substantial transfer payments from the federal government. It is not an accident that President Trump, Secretary Hillary Clinton and Senator Bernie Sanders pledged not to touch or cut entitlements during their respective political campaigns.

Polarization and gridlock are not just functions of a nation divided by culture, economics, religion, race and the like. There is a sharp divide on budget and fiscal matters due to the straight jacket created by resistance to more taxation and a disinclination to restrain the cascade of entitlement spending- Medicare, Medicaid and Social Security, mandatory not discretionary spending, along with payment on the national debt with low interest rates soon to rise if the Federal Reserve is to be believed.

According to the Congressional Budget Office's (CBO) report, *The Budget and Economic Outlook: 2017-2027* (January 2017), things are not looking so good for the federal fisc: "The Congressional Budget Office projects that over the next decade, if current laws remained generally unchanged, budget deficits would eventually follow an upward trajectory-the result of strong growth in spending for retirement and health care programs targeted to older people and rising interest payments on the government debt, accompanied by only modest growth in revenue collections," states the CBO. "Those accumulating deficits would drive debt held by the public from its already high level up to its highest percentage of gross domestic product (GDP) since shortly after World War II."

While we are talking big numbers here, a \$559 billion budget deficit for FY 2017 and a national debt of over \$19 trillion (with a "t"), this is just the bond debt held by the public. It is entitlement spending, as noted above, which is the very real Death Star looming over the nation and the economy.

Niall Ferguson, a Harvard economic historian and host of the PBS television documentary, “The Ascent of Money,” argues in his book, *The Great Degeneration: How Institutions Decay and Economies Die* (2012), that “the statistics commonly cited as government debt are themselves misleading, for they encompass only the sums owed by the government in the form of bonds.”

“But the official debts in the form of bonds do not include the often far larger unfunded liabilities of welfare schemes [*sic*] like...Medicare, Medicaid and Social Security,” writes Ferguson. “The best available estimate for the difference between the net present value of federal government liabilities and the net present value of future federal revenues is \$200 trillion, nearly thirteen times the debt as stated by the U.S. Treasury.” (Emphasis added).

Everyone in Washington wants more of something but, again, usually very different things: more benefits, more tax cuts, more defense spending, more infrastructure, more subsidies. But the inherent limits of the budget process, along with current law, rigorous budget scoring congressional rules (PAYGO or “Pay-As-You-Go”), are forcing tough trade-offs. Any new spending requires a reduction in spending elsewhere or new revenue. There is no rising tide to lift all the boats to flip Jack Kennedy’s famous quote on its head. The budget process is barely functioning anymore and is another fraught political interaction between the Democratic and Republican caucuses looking for very different things for their respective Blue and Red constituencies.

These are not harmonious times in Washington, D.C. and the nation at large. Politicians are as much a result of the current national distemper as a cause. Politics in the nation’s capital is a lagging indicator. AWWA’s voice, advocating for smart water policy and promoting public health and the environment, has never been more critical.

Message

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**From:** Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]  
**Sent:** 2/26/2018 4:45:44 PM  
**To:** Tracy Mehan [tmehan@awwa.org]  
**CC:** William McIntosh [wmackintos@icloud.com]; Shimmin, Kaitlyn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=becb3f33f9a14acd8112d898cc7853c6-Shimmin, Ka]  
**Subject:** Re: Statement of Support for Chad McIntosh

Great thank you!

Sent from my iPhone

On Feb 26, 2018, at 11:37 AM, Tracy Mehan <[tmehan@awwa.org](mailto:tmehan@awwa.org)> wrote:

Dear Mr. Hewitt,

See my statement of support for Chad. You may change the name to William if you prefer. His friends call him, "Chad."

Thanks.

Tracy Mehan

G. Tracy Mehan, III  
Executive Director, Government Affairs  
American Water Works Association

**Ex. 6** (direct)  
(cell)

Attachment

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<Chad McIntosh Statement of Support.docx>



Message

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**From:** Shimmin, Kaitlyn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BECB3F33F9A14ACD8112D898CC7853C6-SHIMMIN, KA]  
**Sent:** 6/12/2017 5:59:38 PM  
**To:** Tracy Mehan [tmehan@awwa.org]  
**Subject:** FW: Bipartisan Environmental Leaders Praise Susan Bodine's EPA Nomination

Hi Tracy, just wanted to make sure you saw the press release. Thank you again for your quote we appreciate your help!

**Kaitlyn Shimmin**

*Special Assistant Congressional and Intergovernmental Affairs*

*Office of the Administrator*

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., N.W.

Washington, D.C. 20460

O: (202) 564-4108

C: **Ex. 6**

[Shimmin.Kaitlyn@epa.gov](mailto:Shimmin.Kaitlyn@epa.gov)

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**From:** Graham, Amy  
**Sent:** Monday, June 12, 2017 12:26 PM  
**To:** Palich, Christian <palich.christian@epa.gov>; Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>  
**Subject:** FW: Bipartisan Environmental Leaders Praise Susan Bodine's EPA Nomination

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**From:** EPA Press Office [<mailto:press=epa.gov@cmail20.com>] **On Behalf Of** EPA Press Office  
**Sent:** Monday, June 12, 2017 12:03 PM  
**To:** Graham, Amy <[graham.amy@epa.gov](mailto:graham.amy@epa.gov)>  
**Subject:** Bipartisan Environmental Leaders Praise Susan Bodine's EPA Nomination

## WHAT THEY ARE SAYING

# Bipartisan Environmental Leaders Praise Susan Bodine's EPA Nomination

**WASHINGTON** - (June 12, 2017) Prior to Susan Bodine's confirmation hearing in the Senate Environment and Public Works Committee tomorrow, environmental leaders,

including former DOJ and EPA officials who served in both Republican and Democrat administrations, are offering praise for Bodine's nomination to serve as EPA's Assistant Administrator for Enforcement and Compliance Assurance. Bodine currently serves as Chief Counsel for the Senate Environment and Public Works (EPW) committee. She previously served as EPA's Assistant Administrator of the Office of Solid Waste and Emergency Response in the George W. Bush Administration, and possesses nearly 29 years of environmental law experience.

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#### **What They're Saying About Susan Bodine's Nomination ...**

**Senate EPW Chairman John Barrasso:** "She has extensive experience working both on Capitol Hill and previously in leadership at the EPA. Susan is committed to finding commonsense ways to protect America's land, air, and water. In this new role, I know that she will work to help communities and small businesses comply with the law, while holding polluters accountable."

**John Cruden, President-Elect of the American College of Environmental Lawyers and Assistant Attorney General, Environment and Natural Resources Division, U.S.**

**Department of Justice (12/2014-1/2017):** "I have worked with Susan over a number of years as she has had significant leadership positions in environmental law and practice. Susan is dedicated to the rule of law, a lawyer with great integrity, and she understands the critical importance of effective and timely enforcement."

**Marcus Peacock, EPA Deputy Administrator (08/2005 - 01/2009):** "I have known Susan for over 20 years. I can think of no better person to lead the enforcement office at EPA. She understands the mission of the agency and the office and how important it is to protecting human health and the environment. A perfect pick."

**Scott Fulton, President of The Environmental Law Institute and EPA General Counsel (08/2009-01/2013):** "During the Obama Administration, when I served as EPA's General Counsel, Susan and I worked collaboratively on matters of shared concern to the Administration and the Congress. ... Through these various intersections, I have found Susan to be fair minded, clear thinking, and strategic in her approach, as well as effective in her leadership. She has a deep understanding of EPA and the EPA-State relationship, which will equip her well to lead OECA."

**Avi Garbow, EPA General Counsel (08/2013-01/2017) and Deputy General Counsel, EPA (09/2014-08/2013):** "Based on my experience, Ms. Bodine possesses a strong intellect, a keen understanding of environmental law and policy, and is respectful and responsive. She is a seasoned environmental lawyer and a skilled advocate. It is also my view that Ms. Bodine's prior service at EPA is an important - though not indispensable - factor to be considered in her nomination. Her familiarity with the Agency and its talented staff would be of service to OECA and Administrator Pruitt, should she be confirmed."

**Roger Martella, EPA General Counsel (08/2006-04/2008):** “Susan epitomizes all the best character and traits we can ask of public servants: tireless and unflappable commitment to the mission of environmental protection and promoting human health, protective of transparency and process in her decision making, objective and apolitical approach to leadership, and empowerment of career decision makers in government.”

**Granta Nakayama, EPA Assistant Administrator, Office of Enforcement and Compliance Assurance (07/2005-01/2009):** [Bodine is a] “fine environmental attorney” who “reads the statutes and parses the words and does the hard work. She’s . . . rigorous in that sense.” “[She is also] “an experienced hand in Washington and knows how to get things done. She is very practical and looks for solutions that are going to be workable for everybody.”

**Mathy Stanislaus, EPA Assistant Administrator, Office of Land and Emergency Management (06/2009-01/2017):** “[Susan] understands both the internal side of the agency and the proper balance of enforcement.”

**Marianne Horinko, EPA Acting Administrator (07/2013-11/2013) and EPA Assistant Administrator, Office of Solid Waste and Emergency Response (10/2001-06/2004):** “Susan Bodine is extremely qualified to run EPA’s enforcement office. As a dedicated public servant with years of experience in environmental policy, she brings a vast understanding of both the agency and the community it regulates. Susan is well suited to carry out the mission of the Administration, and to protect clean air, land and water for the American people.”

**Elliot Laws, EPA Assistant Administrator, Office of Solid Waste and Emergency Response (1993-1997):** “While I don’t envy her challenge, I think bringing Susan back to the agency is an excellent idea.” “Having a familiar face back at EPA in a senior role is a plus for staff morale. Bringing in someone with her knowledge of the agency and the issues facing it can only be a positive.”

**Ben Grumbles, Secretary, Maryland Department of the Environment (03/2016-present), EPA Assistant Administrator, Office of Water (11/2004-01/2009):** “She’s tough and fair and committed to public service. [Bodine] embodies a compliance-first approach, but also will bring enforcement actions when needed.”

**G. Tracy Mehan, III, EPA Assistant Administrator, Office of Water (08/2001-12/2003)** “Susan Bodine brings a commanding intellect and a vast reservoir of experience in environmental policy to the job of running EPA’s enforcement office. The Agency and the American people will benefit tremendously from her legislative, executive and legal expertise across the spectrum of air, land and water. The Administration has made an outstanding selection.”

**Cliff Rothenstein, EPA Deputy Assistant Administrator, Office of Solid Waste and Emergency Response (04/1997-06/2000):** “I have known Ms. Bodine for almost 20 years where she served as committee counsel to the House Transportation and Infrastructure and the Senate Environment and Public Works committees, and as Assistant administrator for the EPA’s Office of Solid Waste and Emergency Response. She is a dedicated public servant and is well-qualified to lead EPA’s office of Enforcement and Compliance Assistance. Ms. Bodine has proved herself time and again to be fair, competent, professional and well respected by those who have had the pleasure to work with her. As an added benefit, Ms. Bodine knows EPA well and is known and respected by EPA employees.”

**Tom Cochran, CEO and Executive Director, U.S. Conference of Mayors** “Many Mayors, as well as my senior staff, have worked with Ms. Susan Bodine over the past 20 plus years. ... Throughout these years, working with Ms. Bodine has been a real pleasure and she has been an asset in every job she has done. She is extremely thoughtful, knowledgeable and professional and has an understanding of the importance of protecting the environment and public health and to do so in an economically responsible way. Her common sense approach to environmental protection and infrastructure investment is widely respected among her peers and my Mayors. While we are sorry to lose her in her current role, she would be a welcome asset at the EPA.”

**Zippy Duvall, President, American Farm Bureau Federation:** “Susan Bodine’s breadth and depth of experience in environmental protection make her an outstanding nominee to lead OECA. ... In her decades of experience in private practice, for Congress and EPA, Susan Bodine has proven her leadership skills and her deep understanding of our nation’s environmental laws and how they affect ordinary citizens and small businesses. She has shown leadership in working toward solutions with groups on all sides of the many controversies that entangle environmental protection. We believe she will strictly enforce our nation’s environmental laws, using the hammer when necessary. We also believe she will bring back an effective yet underutilized tool in EPA’s toolbox - compliance assistance. Farmers and ranchers across the nation look forward to a new era of firm, but fair enforcement.”

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